

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CV 09-0752 JH/WPL

BILLY R. MELOT AND
KATHERINE L. MELOT,

Defendants.

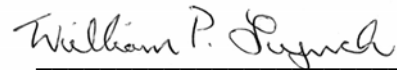
ORDER

This matter is before me on three documents: 1) a Motion to Dismiss Counsel and Entry of Pro Se Appearance (Doc. 27); 2) a Notice of Dismissal for Want of Prosecution (Doc. 28); and 3) the United States' Unopposed Motion to Amend Its Complaint (Doc. 29).

Acting pro se, Defendant Billy R. Melot filed both the motion to dismiss counsel and the notice of dismissal for want of prosecution. In addition to seeking the dismissal of Defendants' attorney, Mr. Melot purports to enter his appearance on behalf of himself and his spouse, Katherine L. Melot, as "head of house hold." (Doc. 27 at 1.) Under this Court's rules, "[a] party who is represented by an attorney may not personally make any filings, other than a notice of appeal, or represent himself or herself unless otherwise ordered." D.N.M.LR-Civ. 83.5. Because Mr. Melot is represented by counsel, both the motion and the notice will be stricken from the record. Furthermore, should Defendants' counsel file a motion to withdraw, Mr. Melot has no authority to represent his spouse as "head of house hold."

IT IS THEREFORE ORDERED THAT the Motion to Dismiss Counsel and Entry of Pro Se Appearance and the Notice of Dismissal for Want of Prosecution are STRICKEN FROM THE RECORD and the United States' Unopposed Motion to Amend Its Complaint is GRANTED.

IT IS SO ORDERED.

A handwritten signature in cursive script, reading "William P. Lynch", is written over a horizontal line.

WILLIAM P. LYNCH
UNITED STATES MAGISTRATE JUDGE

A true copy of this order was served
on the date of entry--via mail or electronic
means--to counsel of record and any *pro se*
party as they are shown on the Court's docket.